

**News from Rep. Stephanie Herseth**

**For Immediate Release**

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**HERSETH BILL TO PROTECT RIGHTS OF PRIVATE PROPERTY OWNERS ADVANCES IN CONGRESS**

**Judiciary Committee Passes Eminent Domain Bill**

**October 27, 2005, Washington, D.C.** – A bill to protect the rights of private property owners has passed the House Judiciary Committee. U.S. Rep. Stephanie Herseth joined Judiciary Committee Chairman James Sensenbrenner (R-WI) and Ranking Member John Conyers, Jr (D-MI), Agriculture Committee Chairman Bob Goodlatte (R-VA), and Agriculture Appropriations Subcommittee Chairman Henry Bonilla (R-TX) in introducing the legislation, which provides a strong economic disincentive for local governments to take private property for the purpose of private economic development. The bill was drafted in response to a recent Supreme Court ruling that expanded the ability of governments to take private property and transfer that property to another individual or company.

Herseth said, “I am proud to join colleagues from both sides of the aisle in fighting for private property owners’ rights and I am pleased the Judiciary Committee has acted on this important legislation so that we may bring it to the House floor before we adjourn for the holidays. In South Dakota, our rural population’s livelihood is deeply tied to the land. This is common sense legislation that will discourage state and local governments from arbitrarily taking land from private landowners and giving it to someone else.”

The legislation, entitled the Private Property Rights Protection Act of 2005, represents a compromise between an earlier Sensenbrenner Bill, and legislation introduced by Herseth and Agriculture Appropriations Subcommittee Chairman Henry Bonilla in July. “The Private Property Rights Protection Act is a comprehensive piece of legislation that will correct a far-reaching decision with horrific consequences,” said Bonilla. “This new legislation has benefited greatly from the work of Congresswoman Herseth and others on our previous eminent domain bill, the Strengthening Ownership of Private Property Act, and I’m thankful for her assistance on this legislation. She is looking out for the average citizen in pursuit of the American Dream.”

Combining two bills with substantially similar goals is a common practice in the Congress and resolves jurisdictional questions, allowing the bill to move more swiftly to the House floor. Because of this development, Herseth is optimistic that the House will vote on her bill in the next several weeks.

Specifically, the bill would withhold federal economic assistance to localities and states in certain instances when they use eminent domain to force the transfer of property between private entities for the purposes of economic development. The Supreme Court's recent ruling in *Kelo v. New London* expanded the authority of governments to use eminent domain to take away private property and transfer it to someone else for their private gain. This bill aims to discourage abuse of this practice by tying it to disbursement of key federal economic development funds.

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*Congresswoman Stephanie Herseth serves South Dakota in the U.S. House of Representatives. She is a member of the Blue Dog Coalition, a group of moderate Democrats committed to fiscal discipline and strong national security, and is co-chair of the Rural Working Group, which is dedicated to raising the profile of issues important to rural America. She also serves on three committees vital to South Dakota's interests: Agriculture, Veterans' Affairs and Resources.*